

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

RECEIVED

2006 APR 17 A 10:09

U.S. DISTRICT COURT
N.D. OF ALABAMA

Inmate Identification Number: #167503C

DEBRA P.
U.S. DISTRICT
CLERK

DONNIE JAMES MOORE

(Enter above the full name(s) of the plaintiff(s)
in this action)

vs.

(Commissioner) Richard Allen et al. (Warden) J. C. Giles

COS I John S. Dowling, COS II Carolyn Longmire, (Clerk) Ms. Howard

COS II Larry Monk, COS I Holland, COS I Patterson, COS I Pullon, D.

COS I Robert Culpepper, COS I Mary Taylor, COS I Doreen Robbins

(Enter above full name(s) of the defendant(s)
in this action)

NOTICE TO FILING PARTY

It is your responsibility to
notify the clerk in writing
of any address change.
Failure to notify the clerk
may result in dismissal
of your case
without further notice.

2:06CV 346-D

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (X)
- B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s):

Defendant(s):

2. Court (if Federal Court, name the district; if State Court, name the county) _____

3. Docket number _____

4. Name of judge to whom case was assigned _____

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. Place of present confinement VENTRESS CORRECTIONAL FACILITY

A. Is there a prisoner grievance procedure in this institution?

Yes () No (☒)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes () No (☒)

C. If your answer is YES:

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not? THERE'S NO PRISONER'S GRIEVANCE
IN EXISTENCE.

III. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) Donnie James Moore #167503 C

Address Ventress Correctional Facility
P.O. Box 767 Clayton, Alabama 36016

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant (Commissioner) Richard Allen et. al, (Warden) J. C. Giles

is employed as Employees

at State of Alabama Department of Corrections

C. Additional Defendants COSI John S. Dowling, COII Carolyn Longmire, (Clerk) ITIS, Howard
COSII Larry Monk, COI Holland, COI Patterson, COI Pullen, D., COI Robert Culpepper
COSI Mary Taylor, COI Doreen Robbins are employed as employees at State of Alabama
Department of Corrections. All defendants are being sued in their personal and
professional capacity under the color of law.

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

The defendant acted intentionally with malicious and intent to cause harm
with sadistic means to inflict pain. ① COSI John S. Dowling on 2-15-06 at 1:22 p.m.

did assault and harass me after I was called to the shift commander's office to sign a
citation that was written by COII Carolyn Longmire and disapproved by COSII Larry Monk. While
talking with COII Longmire in the shift commander's office, COSI Dowling comes toward me aggressively and
with force and sticks his right index finger up against the right side of my nose while saying,
"Don't nobody disrespect my officers, you ain't shit convict." I was in total shock because I didn't
 come in here for this sort of treatment. I signed the citation in the runner's office across from
 the shift office assisted by COI Holland and was called in the shift office afterwards. After the
 confrontation we stared at each other for a moment and the only thing could come out of my
 mouth was "man I don't have no beef with you" Then he tells me to "get your ass over

there on stand and shut the fuck up. As I turned to go wherever he was talking about and turned back towards him COSI Downing hits me with a closed fist twice on my forehead. I just stood there and accepted this punishment because I didn't want no assault charge, then he hit me once on the right side of my face. By this time he pushes me up against the wall while detaining me with my left arm behind my back with handcuffs and in comes COI PATTERSON to assist him.

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Summary Judgment, Punitive Damages, Monetary Damages,
Injunctive Relief, Any other relief under law

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 11, 2006 Tuesday

Donnie James Moore

Signature(s)

STATE OF ALABAMA

Department of Corrections
Inmate Stationery

#1 extra sheet

I was the first inmate COSI Dowling had encountered, other inmates had been called in the shift office, after signing their citation in the WARDEN's office, assisted by COI Holland, to be harassed by COII Longmire before COSI Dowling's present. ② COII Carolyn Longmire did harass and threaten me after signing a citation disapproved by COSI Larry Monk that she wrote. On 2-11-06 COII Longmire wrote approximately 10 inmates citations for being in 10 dorm, an unauthorized area if you didn't live there. I live in 7 dorm. In 10 dorm you have access to haircuts, shaving supplies, request slips etc. It is also where the shift commander's office is located. On 2-15-06 all citations were disapproved. While being confronted by COII Longmire she said "you know you slipped through a crack don't you." I said yes 'mam. Then she said "don't never let me catch you up here no more." I said yes 'mam I won't come up here no more. Then she said, "as a matter of fact if you see me walking anywhere it's best you get out of my way," and before I could respond that's when COSI Dowling came towards me. ③ Ms. Howard (clerk), on 2-15-06 at 1:22 p.m., was in the shift commander's office at her desk and seen and heard COSI Dowling and COII Longmire's actions and behavior towards me. To cover up his actions COSI Dowling said I grabbed his arm and attempted to leave the shift office and I received 2 major disciplinaries, Rule #29 Assault on a ADOC official and Rule #56 Failure to obey a direct order. COSI Dowling retired from the D.O.C. on 2-30-06 because of pending cases against him. He had a reputation at this facility for assaulting inmates behind closed doors in hope that they retaliate so he can file charges and have them re-classed.

④ COSI Larry Monk on 2-15-06 disapproved all citations that COII Longmire wrote.

⑤ COI Holland on 2-15-06 in the WARDEN's office in dorm 10 across from the shift commander's office assisted inmates in signing the disapproved citations before being called into the shift office to be confronted by COII Longmire, but in my case I was confronted by COII Longmire and COSI Dowling.

⑥ COI Patterson on 2-15-06 at 1:22 p.m. did come in the shift office after being called on the radio to help detain me handcuffing my right arm and hearing COSI Dowling say "go look his ass up."

STATE OF ALABAMA

Department of Corrections
Inmate Stationery

#2 extra sheet

Then COI Patterson assisted by COI D. Pullen escorted me to health care to get a body chart, then escorted me to a segregation cell for 51 days. 2-15-06-4-7-06

⑦ COI D. Pullen on 2-15-06 assisted COI Patterson in escorting me to the health care and to segregation cell 901.

⑧ COI Robert Culpepper on 2-15-06 at 4:00p.m. and 4:03p.m. did serve me copies of 2 disciplinaries: Rule #29 Assault on ADOC official and Rule #56 Failure to obey direct order in segregation cell 901 in 9 doam.

⑨ COSI Mary Taylor on 2-20-06 at 10:26 a.m. and 10:35a.m. did find me guilty on both disciplinaries in cell 901 with 45 days segregation time on Rule #29 and 30 days segregation time on Rule #56 plus loss of privileges (canteen, visitation and telephone) for equal amount of time on both. COSI Taylor did not really want to hear anything I had to say. You can tell that she and COSI Dowling had fabricated their stories, it was basically my word against his. I also had COL Longmire down as witness at the hearing and she decline. I did not know Mrs. Howard's (clerk) name at the time.

⑩ COI Robert Robbins on 2-23-06 at 12:35p.m. and 12:37p.m. did serve me copies of both disciplinaries approved by warden J.C. Giles with no segregation time on Rule #56.

⑪ (Warden) J.C. Giles is supervisor over these officers and this facility and is responsible for their actions and behavior. Warden Giles approved both disciplinaries. I asked warden Giles personally was he going to charge me with a free world case in front of the segregation board and he said no.

⑫ (Commissioner) Richard Allen is in charge of the Alabama Department of Corrections and these are his employees and he's responsible for their actions and behavior.

Note: Injuries sustained from assault was a partially fractured jaw bone, blurred vision in right eye, cracked top dentures, severe headaches for 3 weeks afterwards and height in blood pressure. I was given tylenol 650mg. for all symptoms.

Other Inmates with citations: Dennis Cooper #134483, James McDonald #236360